

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

HOLLIS JACKSON,)	
)	
Plaintiff,)	Case No. 05-3254-CV-5-JTM
)	
v.)	
)	
WINDSOR REPUBLIC DOORS,)	
)	
Defendant.)	

JOINT PROPOSED SCHEDULING ORDER AND DISCOVERY PLAN

Pursuant to the requirements of Local Rule 16 and 26 and Rule 16(b) of the Federal Rules of Civil Procedure and Court Order, the parties hereto submit the following Proposed Scheduling Order and Discovery Plan.

I.

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, a meeting was conducted on January 26, 2006, between Jason Shaffer, attorney for Plaintiff, and Daniel J. Clark, attorney for Defendant.

II.

The parties have agreed to exchange pre-discovery disclosure information required by Fed. R. Civ. P. 26(1) prior to February 20, 2006.

III.

Any motion to join additional parties will be filed on or before March 31, 2006.

IV.

Any motion to amend the pleadings will be filed on or before April 28, 2006. This date is proposed because it would provide the parties sufficient time to engage in necessary discovery

prior to the proposed completion of discovery for the purposes of determining if it is necessary to amend pleadings.

V.

All other non-dispositive motions will be filed on or before September 29, 2006. This date is proposed because it coincides with the completion of discovery. All dispositive motions will be filed on or before October 27, 2006. This date is proposed pursuant to Local Rule 16(f)(3).

VI.

1. All pretrial discovery authorized by the Federal Rules of Civil Procedure (except for depositions set forth below) will be completed on or before September 29, 2006.

a. On or before October 27, 2006, the plaintiff will designate expert witnesses.

b. On or before November 30, 2006, the defendant will designate expert witnesses.

c. On or before December 31, 2006, all expert witnesses for all parties will be designated.

d. On or before January 31, 2007, all depositions of expert witnesses will be completed.

2. The following facts are considered by counsel in arriving at the date proposed in paragraph 1 above:

a. The complexity of the legal issues; and

b. The schedules of the attorneys for the parties.

3. The following discovery has already been initiated and its current status is:

a. None.

4. On or before the dates proposed in paragraph 1 above, each party intends to initiate and complete the discovery listed below the name of each party:

a. Plaintiff:

- i. Interrogatories;
- ii. Requests for Production of Documents; and
- iii. Depositions.

b. Defendants:

- i. Interrogatories;
- ii. Requests for Production of Documents; and
- iii. Depositions.

5. Plaintiff and Defendant believe that phased or limited discovery is not necessary.

6. The parties do not believe that any changes to the rules relating to discovery are necessary or that any particular limitations need to be imposed.

VII.

- 1. The parties do not request a pre-trial conference.
- 2. Settlement is not a possibility.

VIII.

The case will be tried before a jury. It is estimated that this case will take 5 days to try. This preliminary estimation is based upon the fact that in addition to jury selection and other evidentiary and preliminary matters, each party intends to call several witnesses plus possible expert witnesses.

The case will be ready for trial by April 2007.

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